UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE ·	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,417	08/31/2000	KEVIN D. SNOW	102689-50/00-U0073	4664

21125 7590 03/25/2004	EXAMINER
NUTTER MCCLENNEN & FISH LLP	KHOSRAVAN, JIMAN

NUTTER MCCLENNEN & FISH LLP	ART UNIT	PAPER NUMBER
WORLD TRADE CENTER WEST		
155 SEAPORT BOULEVARD	2141	
BOSTON, MA 02210-2604		

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application 09/653,417	Applicant(s) SNOW, KEVIN D.
	Examiner Jiman Khosravan	Art Unit 2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _31 August 2000_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Specification Objections

1.   The disclosure is objected to because of the following informality:

On pages 1, Applicant has omitted the serial number of the continuation-in-part application.

Appropriate correction is required.

2.   The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

3.   The information disclosure statement filed August 31, 2001 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Although Applicant states that legible copies of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other

information or that portion which caused it to be listed have been previously

submitted with United States Patent Application Number 09/653,248 filed on

August 31, 2000, that application is a continuation-in-part of 09/637,800 which

further has multiple continuation-in-parts and therefore further copies are

necessary. Legible copies of documents CA-CR are required for the consideration

of the information disclosure statement filed August 31, 2001, but US and Foreign

Patent documents AA-AV and BA-BG, respectively, are not required.

Drawing Objections

4.   Formal drawings are required to be submitted by the applicant.

Claim Rejections ~ 35 U.S.C. § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published
under section 122(b), by another filed in the United States before the
invention by the applicant for patent or (2) a patent granted on an application
for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the
treaty defined in section 351(a) shall have the effects for purposes of this
subsection of an application filed in the United States only if the

international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 1, 14, 15, 18-20, and 23, are rejected under 35 U.S.C. 102(e) as being anticipated by Falcon et al. (US 6,295,556).

a) As per claims 1 and 23, Falcon discloses a network management system comprising of a graphical user interface, a sequence of linked configuration tabs to at least one physical layer network protocol provisioning task and at least one upper layer network protocol provisioning task (Figure 7; Col. 1, lines 52-54 & 62-64; Col. 4, lines 48-56; Col. 5, lines 52-63; Col. 7, lines 1-12 & 18-23 & 56-61: Falcon discloses a "General" tab containing device/medium parameters such as Ethernet, Token Ring, or ATM (physical layer network provisioning task) and Falcon further discloses an "Advanced" tab for protocol configuration such as TCP/IP (upper layer network protocol provisioning task)).

b) As per claim 14, Falcon teaches the claimed invention as described above and further discloses the physical layer network protocol provisioning task comprises of configuring a network device port for an Ethernet protocol (Figure 7; Col. 7, lines 59-61).

c) As per claim 15, Falcon teaches the claimed invention as described above and further discloses an upper layer network protocol provisioning task comprising

configuring an Asynchronous Mode Transfer (ATM) virtual connection (Col. 5, lines 52-63; Col. 7, lines 56-61).

d) As per claim 18, Falcon teaches the claimed invention as described above and further discloses an upper layer network protocol provisioning task comprising configuring an Internet Protocol (IP) virtual connection (Col. 5, lines 31-63; Col. 7, lines 56-61).

e) As per claim 19, Falcon teaches the claimed invention as described above and further discloses receiving a network device selection from the user and wherein the sequence of linked configuration tabs is provided in response to the received network device selection and the method further comprises of receiving configuration data input from the user and configuring the network device in accordance with the received configuration data input (Figures 6 & 7; Col. 7, lines 1-26: The interface of Figure 6 is the entry point of the user to the GUI screen corresponding to the network device selected by the user; "Office." After selection of the device, a new GUI screen is displayed (Figure 7; "Office") and each connection device has a General tab, Logon, Options, Advanced, and Permissions tab. The user inputs configuration data (Col. 1, lines 58-61 & 65-67) and the data is stored to non-volatile storage (Col. 6, lines 15-28) and connecting to the network by applying the configuration information (Col. 10, lines 63-65)).

f) As per claim 20, Falcon teaches the claimed invention as described above

and further discloses a second network element (Figure 6: "MSN").

Claim Rejections ~ 35 U.S.C. § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

8.   Claims 2-12, 21, 22, and 24-28, are rejected under 35 U.S.C. 103(a) as being

unpatentable over Falcon et al, and further in view of Kekic et al (US 6,664,978).

a) As per claim 2, Falcon teaches the claimed invention as described above

and further discloses displaying a first one of the linked configuration tabs,

displaying a first selection of configuration options, detecting a selection of a

second linked configuration tab and displaying the second configuration tabs and

displaying a second selection of configuration options (Figure 7; Col. 7, lines 1-12:

Falcon discloses a first "General" tab containing first configuration options. Col. 7,

lines 13-17: Falcon further discloses a second "Options" tab with second

configuration options). However, Falcon does not explicitly teach displaying a first

forward button on the first linked configuration tab, and displaying a second linked

configuration tab based on users selection of first forward button, and further displaying a first back button on the second one of the linked configuration tabs.

Kekic teach a network management system where the user utilizes an intuitive graphical user interface to build element managers, and manage network elements (Col. 5, lines 25-39). Kekic further teaches a graphical user interface where multiple configuration tabs can be flipped through using a navigational buttons: "Next" & "Back" (Col. 30, lines 9-18; Figures 9D & 10). Kekic also discloses a "Next" button on a first configuration tab "Description" where the user selects "Next," (Col. 30, lines 15-17) and a second configuration tab "MIB Files" is now displayed with a first back button (Figure 11).

By implementing the tabbed navigational user interface of Kekic in the graphical user interface of Falcon, users can move to different configuration tabs not only by selecting each individual tab, but they can also move through them in order through navigational buttons.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kekic in the system of Falcon because by implementing the specification as described above, through an interface of windows, pull-down menus and toolbars, GUI operating systems have

simplified PCs and have rendered computer technology more user friendly by

eliminating the need to memorize keyboard entry sequences.

b) As per claim 3, Falcon-Kekic teaches the claimed invention as described

above and further discloses displaying a second one of the linked configuration

tabs further including displaying a second forward button and wherein the method

further includes detecting a selection of the second forward button and displaying a

third one of the linked configuration tabs, including displaying a third selection of

configuration options and displaying a second back button (Kekic teaches a second

one of the linked configuration tabs (Kekic: Figure 11: "MIB Files" with

configuration options) with a second forward button (Kekic: Figure 9D; Col. 30,

lines 9-18) where the user selects "Next," (Kekic: Col. 30, lines 15-17) and a third

configuration tab "Hotspot Definition" is now displayed with a first back button

(Kekic: Figures 9D & 12A)).

c) As per claim 4, Falcon-Kekic teaches the claimed invention as described

above and further discloses the first one of the linked configuration tabs to

correspond to the at least one physical layer network protocol provisioning task

and wherein the second one of the linked configuration tabs corresponds to the at

least one upper layer network protocol provisioning task (Falcon: Figure 7; Col. 1,

lines 52-54 & 62-64; Col. 4, lines 48-56; Col. 5, lines 52-63; Col. 7, lines 1-12 &

18-23 & 56-61: Falcon discloses a "General" tab containing device/medium

parameters such as Ethernet, Token Ring, or ATM (physical layer network

provisioning task) and Falcon further discloses an "Advanced" tab for protocol

configuration such as TCP/IP (upper layer network protocol provisioning task)).

d) As per claim 5, Falcon-Kekic teaches the claimed invention as described

above and further discloses wherein displaying a first one of the linked

configuration tabs further includes detecting a selection of at least one

configuration option (Falcon: Col. 10, lines 34-64).

e) As per claim 6, Falcon-Kekic teaches the claimed invention as described

above and further discloses wherein displaying a first one of the linked

configuration tabs further includes launching a configuration wizard in response to

detecting the selection of at least one configuration option (Falcon: Col. 5, lines 4-

33; Figure 4).

f) As per claim 7, Falcon-Kekic teaches the claimed invention as described

above and further discloses wherein displaying a second one of the linked

configuration tabs further includes detecting a selection of at least one

configuration option (Falcon: Col. 7, lines 1-27; Col. 10, lines 34-64; Figure 7).

g) As per claim 8, Falcon-Kekic teaches the claimed invention as described

above and further discloses wherein displaying a second one of the linked

configuration tabs further includes launching a configuration wizard in response to

detecting the selection of at least one configuration option (Falcon: Col. 5, lines 4-

33; Figure 4).

h) As per claim 9, Falcon-Kekic teaches the claimed invention as described

above and further discloses displaying a first selection of configuration options

comprises of prompting the user to input valid configuration parameter values

(Falcon: Col. 1, lines 2-34 & 58-61 & 65-67; Col. 2, lines 1-4; Col. 5, lines 55-63).

i) As per claim 10, Falcon-Kekic teaches the claimed invention as

described above and further discloses displaying a second selection of

configuration options comprises of prompting the user to input valid configuration

parameter values (Falcon: Col. 1, lines 2-34 & 58-61 & 65-67; Col. 2, lines 1-4;

Col. 5, lines 55-63).

j) As per claim 11, Falcon-Kekic teaches the claimed invention as

described above and further discloses displaying a sequence of linked

configuration tabs comprising of a forward button within at least one of the

configuration tabs and a back button within at least one of the configuration tabs

(Kekic: Figures 9D & 10).

k) As per claim 12, Falcon-Kekic teaches the claimed invention as

described above and further discloses displaying a sequence of linked

configuration tabs comprising of presenting the sequence of linked configuration

tabs in a particular order corresponding to a series of steps required to complete the

at least one physical later network protocol provisioning task and the at least one

upper layer network protocol provisioning task (Figure 7, Col.7, lines 1-26:

"General," "Logon," "Options," "Advanced," & "Permissions").

l) As per claim 21, Falcon-Kekic teaches the claimed invention as

described above and further discloses highlighting a network device navigation

tree location in accordance with each displayed configuration tab (Kekic: Col. 28,

lines 63-67; Col. 29, lines 1-10).

m) As per claim 22, Falcon-Kekic teaches the claimed invention as

described above and further discloses retrieving configuration data from a network

management system server in accordance with each displayed configuration tab

and the highlighted network device tree location (Kekic: Figure 3A: Network

management server 380 contains network management data; Col. 28, lines 63-67;

Col. 29, lines 1-10).

n) As per claims 24-28, they have the same claim limitations as claims 1-10

and 19-22, and therefore are rejected under the same rationale.

9.   Claims 13, 16 and 17 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Falcon, and further in view of Leon-Garcia, Alberto, and

Widjaja, Indra. Communication Networks: Fundamental Concepts and Key

Architectures. Boston: McGraw-Hill Companies, Inc., 2000, hereafter referred to

as Leon-Garcia.

        a) As per claim 13, Falcon teaches the claimed invention as described above

and further discloses wherein the physical layer network protocol provisioning task

comprises configuring a network device port for an Ethernet protocol (Figure 7;

Col. 7, lines 59-61). However, Falcon does not explicitly teach the protocol path of

Synchronous Optical Network (SONET).

        Leon-Garcia discloses SONET (Page 198). By implementing the protocol

SONET of Leon-Garcia, a second network device port option, in the system of

Falcon, users can now configure devices using different physical layer network

protocols.

        It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of Leon-Garcia in the system of

Falcon because by implementing the specification as described above, SONET

allows for the connection of different devices from different vendors to occur to

the its standardizations of optical transmission systems (Page 198).

b) As per claims 16 and 17, Falcon teaches the claimed invention as described above and further discloses wherein the upper layer network protocol provisioning task comprises configuring Asynchronous Mode Transfer and Internet Protocol virtual connections (Col. 5, lines 31-63; Col. 7, lines 56-61). However, Falcon does not explicitly teach the protocols Frame Relay or Multi Protocol Label Switching (MPLS) connections.

Leon-Garcia discloses Frame Relay protocol (Page 227) and MLPS (Page 685). By implementing configuring the protocols of Leon-Garcia in the graphical user interface of Falcon, users can now configure more devices using different upper layer protocols.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Leon-Garcia in the system of Falcon because by implementing the specification as described above, Frame Relay allows the establishment of an end-to-end data-link layer connection between two terminals attached to a public network (Page 227), and MPLS standardizes a label-switching paradigm that integrates layer 2 switching with layer 3 routing (Page 685).

Conclusion

10.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Jiman Khosravan whose telephone number is

(703) 305-0704. The examiner can normally be reached on Monday - Friday from

9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax

phone number for the organization where this application or proceeding is assigned

is (703) 872-9306.

Communication via Internet e–mail regarding this application, other than

those under 35 U.S.C. 132 or which otherwise require a signature, may be used by

the applicant and should be addressed to [rupal.dharia@uspto.gov].

All Internet e-mail communications will be made of record in the application

file. PTO employees do not engage in Internet communications where there exists

a possibility that sensitive information could be identified or exchanged unless the

record includes a properly signed express waiver of the confidentiality

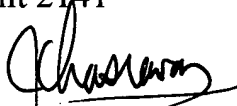requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet

Usage Policy published in the Official Gazette of the Patent and Trademark on

February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703)

305-3900.

Jiman Khosravan
Examiner
Art Unit 2141

March 5, 2004

LE HIEN LUU
PRIMARY EXAMINER